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WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP
BRADFORD GREEN, BUILDING 5
755 MAIN STREET, P O BOX 224
MONROE, CT 06468

EXAMINER	
PHUONG, DAI	

ART UNIT	PAPER NUMBER
2617	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/533,245	DAM NIELSEN ET AL.	
	Examiner	Art Unit	
	DAI A. PHUONG	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 December 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-38* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-38* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *07/25/2007 and 07/26/2007*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. Applicant's arguments, filed 12/03/2007, with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Claims 1-38 are currently pending.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-5 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Jambhenkar et al. (U.S. 6430405).

Regarding claim 1, Jambhenkar et al. disclose a communication apparatus comprising:

a controller 115 (fig. 1, col. 3, lines 4-43. Jambhenkar et al. disclose the radio communication device 103 includes an antenna 105, a body housing element 107, and ***a processor 115***. The processor 115 formats the data output from the radio circuitry 113 into a recognizable voice or messaging information for use by the user interface 117. The user interface 117 communicates the received information or voice to a user through the use of the speaker 123 and the display 119);

an interface 105/113 adapted to receive an electronic message (col. 7, lines 10-32. Jambhenkar et al. disclose that if the user desires to read messages and selects a "Read Messages" option, the user may select a particular message type, for example, phone, e-mail, or

fax. It is inherent that the interface is able to receive the electronic message in order to display to the user);

a display 119 (fig. 1, col. 3, lines 4-43. Jambhenkar et al. disclose the radio communication device 103 includes an antenna 105, a body housing element 107, a processor 115, and a portion of a user interface 117. ***The user interface 117 includes a display 119***, a microphone 121, a speaker 123, and a keypad 125); and

a memory, said memory being adapted to store image data representing at least one predefined icon to be presented on said display so as to indicate receipt of said electronic message, wherein said memory is adapted to store an association between the or each predefined icon and a sender of electronic messages (col. 5, line 38 to col. 6, line 52. Jambhenkar et al. disclose that the users can select an icon associated with phone number and name. After entering the number and selecting an icon if desired at a step 408, ***the information is stored in the memory of the radio communication device*** at a step 410 and the entry is completed.); and wherein

said controller is adapted to determine a sender of said received electronic message, to match the sender thus determined with the or each predefined icon by way of said association, and to present a matching icon, if any, on said display to indicate receipt of said received electronic message as well as the sender thereof (col. 7, lines 10-38. Jambhenkar et al. disclose that if the user desires to read messages and selects and selects a "Read Messages" option, the user may select a particular message type, for example, phone, e-mail, or fax, at a step 608. After reading the message, the user has the option of sending a reply to the message. If the user wants to reply, information associated with the sender which may be stored in the radio communication

device will appear on the display. The information which is related to the sender is then displayed on the screen. The user selects a reply message format from the available methods associated with the sender).

Regarding claim 2, Jambhenkar et al. disclose all the limitations in claim 1. Further, Jambhenkar et al. disclose an apparatus wherein said electronic message is of a type having a control data portion and a message data portion, the control data portion including a message sender identity, wherein said controller is adapted to determine the sender of said received electronic message from the message sender identity (col. 7, lines 10-38. It is inherent that the message includes an identification number).

Regarding claim 3, Jambhenkar et al. disclose all the limitations in claim 2. Further, Jambhenkar et al. disclose an apparatus wherein said electronic message is an SMS or MMS message (col. 1, lines 45-55).

Regarding claim 4, Jambhenkar et al. disclose all the limitations in claim 2. Further, Jambhenkar et al. disclose an apparatus wherein said message sender identity is a telephone number for a mobile telecommunications system such as GSM, UMTS, D-AMPS or CDMA2000 (col. 1, lines 45-55).

Regarding claim 5, Jambhenkar et al. disclose all the limitations in claim 2. Further, Jambhenkar et al. disclose an apparatus wherein said electronic message is an email message (col. 1, lines 45-55).

Regarding claim 18, Jambhenkar et al. disclose all the limitations in claim 1. Further, Jambhenkar et al. disclose an apparatus wherein said communication apparatus is a portable telecommunication apparatus (col. 1, lines 45-55).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 6-7 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jambhenkar et al. (U.S. 6430405) in view of Burns et al. (Pub. No: 20020126146).

Regarding claim 6, Jambhenkar et al. disclose all the limitations in claim 1. However, Jambhenkar et al. do not disclose an apparatus wherein said controller is adapted to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages.

In the same field of endeavor, Burns et al. disclose an apparatus wherein said controller is adapted to simultaneously present a plurality of matching icons on said display to indicate a corresponding plurality of received messages (fig. 1A and fig. 1B, [0019] to [0026]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including an apparatus wherein said controller is adapted to simultaneously present a plurality of matching

icons on said display to indicate a corresponding plurality of received messages, as taught by Burns et al., the motivation being in order to optimize the screen space available to provide sufficient viewing of information that would otherwise be obscured or truncated. In addition, it is desirable to view the message information within the message list without opening the message when searching quickly for a message.

Regarding claim 7, Jambhenkar et al. disclose all the limitations in claim 1. However, Jambhenkar et al. do not disclose an apparatus wherein said controller is adapted to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon.

In the same field of endeavor, Burns et al. disclose an apparatus wherein said controller is adapted to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon (fig. 1A and fig. 1B, [0019] to [0026]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including an apparatus wherein said controller is adapted to display, for each presented matching icon, a numeric indicator to indicate a current number of unread messages received from a respective sender associated with each presented matching icon, as taught by Burns et al., the motivation being in order to optimize the screen space available to provide sufficient viewing of information that would otherwise be obscured or truncated. In addition, it is desirable to view the message

information within the message list without opening the message when searching quickly for a message.

Regarding claim 25, Jambhenkar et al. disclose all the limitations in claim 19. However, Jambhenkar et al. do not disclose a method performed repeatedly for a plurality of received messages so that only the last received message, irrespective of sender, is indicated by its matching icon, if any, on the display.

In the same field of endeavor, Burns et al. disclose a method performed repeatedly for a plurality of received messages so that only the last received message, irrespective of sender, is indicated by its matching icon, if any, on the display (fig. 1A and fig. 1B, [0019] to [0026]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including a method performed repeatedly for a plurality of received messages so that only the last received message, irrespective of sender, is indicated by its matching icon, if any, on the display, as taught by Burns et al., the motivation being in order to optimize the screen space available to provide sufficient viewing of information that would otherwise be obscured or truncated. In addition, it is desirable to view the message information within the message list without opening the message when searching quickly for a message.

6. Claims 8-17, 19-24, 26-27 and 29-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jambhenkar et al. (U.S. 6430405) in view of Kamimura (Pub. No: 20020094806).

Regarding claim 8, Jambhenkar et al. disclose all the limitations in claim 1. However, Jambhenkar et al. do not disclose an apparatus wherein said controller is adapted to enhance the presentation of the or each presented icon with a visual effect such as animation, scrolling, morphing, flashing or changing colors.

In the same field of endeavor, Kamimura discloses an apparatus wherein said controller is adapted to enhance the presentation of the or each presented icon with a visual effect such as animation, scrolling, morphing, flashing or changing colors ([0043] to [0066]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including an apparatus wherein said controller is adapted to enhance the presentation of the or each presented icon with a visual effect such as animation, scrolling, morphing, flashing or changing colors, as taught by Kamimura, the motivation being in order to provide caller identification (caller ID) information for identifying a calling party that requests communication with the communication apparatus and provide a highly convenient communication apparatus capable of easily identifying a calling party when the apparatus receives an incoming call signal or an incoming message signal.

Regarding claim 9, Jambhenkar et al. disclose all the limitations in claim 1. However, Jambhenkar et al. do not disclose an apparatus further comprising at least one of a phonebook address book or contact book, wherein the association between the or each predefined icon and a sender of electronic messages is stored in an entry in said phonebook, address book or contact book.

In the same field of endeavor, Kamimura discloses further comprising at least one of a phonebook address book or contact book, wherein the association between the or each predefined icon and a sender of electronic messages is stored in an entry in said phonebook, address book or contact book ([0039] to [0042]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including further comprising at least one of a phonebook address book or contact book, wherein the association between the or each predefined icon and a sender of electronic messages is stored in an entry in said phonebook, address book or contact book, as taught by Kamimura, the motivation being in order to provide caller identification (caller ID) information for identifying a calling party that requests communication with the communication apparatus and provide a highly convenient communication apparatus capable of easily identifying a calling party when the apparatus receives an incoming call signal or an incoming message signal.

Regarding claim 10, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 9. Further, Kamimura discloses an apparatus wherein the association comprises a link to an image file, which is stored outside of said phonebook entry, address book entry or contact book entry but inside said memory, and which contains image data that defines the or each predefined icon ([0039] to [0042]).

Regarding claim 11, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 9. Further, Kamimura discloses an apparatus wherein the association

comprises image data that defines the or each predefined icon and is stored in said phonebook entry (842), address book entry or contact book entry ([0039] to [0042]).

Regarding claim 12, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 9. Further, Jambhenkar et al. disclose an apparatus wherein the association further comprises a message sender identity wherein said electronic message is of a type having a control data portion and a message data portion the control data portion including a message sender identity, wherein said controller is adapted to determine the sender of said received electronic message from the message sender identity ([0039] to [0043]).

Regarding claim 13, Jambhenkar et al. disclose all the limitations in claim 1. However, Jambhenkar et al. do not disclose an apparatus further comprising an element for adding a new icon to said memory, and element for generating in said memory a new association between said new icon and a sender of electronic messages.

In the same field of endeavor, Kamimura discloses an apparatus further comprising an element for adding a new icon to said memory, and element for generating in said memory a new association between said new icon and a sender of electronic messages ([0039] to [0047]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including an apparatus further comprising an element for adding a new icon to said memory, and element for generating in said memory a new association between said new icon and a sender of electronic messages, as taught by Kamimura, the motivation being in order to provide caller identification (caller ID) information for identifying a calling party that requests communication with the

communication apparatus and provide a highly convenient communication apparatus capable of easily identifying a calling party when the apparatus receives an incoming call signal or an incoming message signal.

Regarding claim 14, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 13. Further, Kamimura discloses an apparatus wherein said means for adding a new icon comprises an image editor in said apparatus ([0039] to [0047]).

Regarding claim 15, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 13. Further, Kamimura discloses an apparatus wherein said means for adding a new icon comprises a communications interface of said communication apparatus ([0039] to [0047]).

Regarding claim 16, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 15. Further, Kamimura discloses an apparatus wherein said communications interface is at least one of: a serial interface; a short-range supplementary radio data interface; a WAP compatible interface; and an RF interface for a mobile telecommunications system ([0039] to [0047]).

Regarding claim 17, the combination of Jambhenkar et al. and Kamimura disclose all the limitations in claim 15. Further, Kamimura discloses an apparatus wherein said communications interface is the same as said interface adapted to receive an electronic message ([0039] to [0047]).

Regarding claim 19, this claim is rejected for the same reason as set forth in claim 1.

Regarding claim 20, this claim is rejected for the same reason as set forth in claim 2.

Regarding claim 21, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 22, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 23, this claim is rejected for the same reason as set forth in claim 5.

Regarding claim 24, this claim is rejected for the same reason as set forth in claim 6.

Regarding claim 26, this claim is rejected for the same reason as set forth in claim 7.

Regarding claim 27, this claim is rejected for the same reason as set forth in claim 8.

Regarding claim 29, this claim is rejected for the same reason as set forth in claim 9.

Regarding claim 30, this claim is rejected for the same reason as set forth in claim 10.

Regarding claim 31, this claim is rejected for the same reason as set forth in claim 11.

Regarding claim 32, this claim is rejected for the same reason as set forth in claim 12.

Regarding claim 33, this claim is rejected for the same reason as set forth in claim 13.

Regarding claim 34, this claim is rejected for the same reason as set forth in claim 14.

Regarding claim 35, this claim is rejected for the same reason as set forth in claim 15.

Regarding claim 36, this claim is rejected for the same reason as set forth in claim 16.

Regarding claim 37, this claim is rejected for the same reason as set forth in claim 17.

Regarding claim 38, this claim is rejected for the same reason as set forth in claim 4.

7. Claim 28 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jambhenkar et al. (U.S. 6430405) in view of Hsu (U.S. 5907604).

Regarding claim 28, Jambhenkar et al. disclose all the limitations in claim 19. However, Jambhenkar et al. do not disclose a method wherein a default icon is presented on said display to indicate said received electronic message, in case no matching icon has been determined.

In the same field of endeavor, Kamimura discloses a method wherein a default icon is presented on said display to indicate said received electronic message, in case no matching icon has been determined (col. 6, lines 44-53)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the handset of Jambhenkar et al. by specifically including a method wherein a default icon is presented on said display to indicate said received electronic message, in case no matching icon has been determined, as taught by Hsu, the motivation being in order to provide the caller ID service with additional features so that it is more useful to a user. In addition, the user determines whether to allow the call to go through or block the call.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAI A. PHUONG whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen M Duc can be reached on 571-272-7503. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7503.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dai A Phuong/
Examiner, Art Unit 2617
Date: 05/01/2008

/Duc Nguyen/

Supervisory Patent Examiner, Art Unit 2617